

Appl. No. 09/765,886
Amtd. dated December 27, 2005
Reply to Office action of October 4, 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:) Group Art Unit: 2155
Schmidt, Brian K.) Examiner: Bruckart, Benjamin R.
Application No: 09/765,886) Atty. Docket No: SUNMP586
-) (Prev. 0007056-060/P5320/BBC)
Filed: January 18, 2001) Date: December 27, 2005
For: Method And Apparatus For Aggregate)
Resource Management of Active)
Computing Environments)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on December 27, 2005.

Signed: Cynthia Dawn
Cynthia Dawn

AMENDMENT

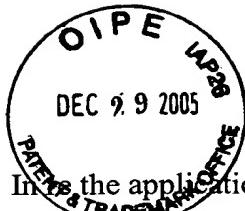
Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

In response to the Office Action of October 4, 2005 please reconsider the outstanding rejections in view of the following amendment and Remarks. The three-month shortened statutory extends to January 4, 2005. Accordingly, no new fees should be due at this time. Please enter this Amendment, which is being filed concurrently with a Terminal Disclaimer.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.



TFW 2155
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Schmidt, Brian K.

Application No: 09/765,886

Filed: January 18, 2001

For: Method And Apparatus For Aggregate Resource Management of Active Computing Environments

) Group Art Unit: 2155
Examiner: Bruckart, Benjamin R.
Atty. Docket No: SUNMP586
(Prev. 0007056-060/P5320/BBC)
Date: December 27, 2005

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Signed: Cynthia Dawn
Cynthia Dawn

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

Sir:

Transmitted herewith is an Amendment and Terminal Disclaimer in the above-identified application. The fee has been calculated as shown below.

	Claims Remaining After Amendment	Highest Previously Paid For	Present Extra	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
TOTAL CLAIMS	18	-	21	00	X 25 = \$	OR X 50 = \$0
INDEP CLAIMS	03	-	03	00	X100 = \$	OR X200 = \$0
[] Multiple Dependent Claim Present and Fee Not Previously Paid				\$180		\$360
				TOTAL	\$	\$0

- Applicant hereby petitions for a ___ month extension of time to respond to the outstanding Office Action.
- Applicant believes that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant hereby petitions that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805
- Enclosed is our Check No. 15561 in the amount of \$130.00 to cover the Terminal Disclaimer fee.
- If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. SUNMP586). A copy of this sheet is enclosed.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP

Leonard Heyman, Esq.
Registration No. 40,418